

C H A P.
LXIII.

Justices to provide a beam, &c.

XV. AND BE IT ENACTED, That there shall be provided by the justices of the levy court at the county charge, and kept at every warehouse, a good and sufficient beam, prizes, blocks, tackles, weights and scales, to weigh fifteen hundred gross pounds at the least, and a set of small weights, such as are provided for the standard weights of each county, and proper marking irons and other necessaries, and the inspector or inspectors are hereby required constantly to keep the same in good repair, under the penalty of one hundred dollars; and the said justices shall, on or before the twentieth day of February annually, appoint one of the justices of the peace for each warehouse, who shall, in the first week of the month of April annually, and afterwards in the first week of the months of June and November annually, and as often between the first weeks of June and November aforesaid as he may be called on by the inspector or inspectors, to attend, view and examine, the beams and scales, and other necessaries, and try the weights by the standard weights of the county, at every warehouse in their respective counties, and if the said beams and scales shall be defective, or if the weights shall differ from the standard, or if other necessaries required by this act be wanting, the said justice shall cause the same to be repaired, amended or provided, and the charge thereof shall be paid by the inspector or inspectors respectively, and be allowed in their account with the justices of the levy court; and it is hereby declared to be the duty of the standard-keeper of each county in this state, when required, to attend the justices with the standard weights of the county, and to assist them in adjusting the beams and scales, and trying the weights, at the several and respective warehouses in the said county; and the said standard-keepers shall be allowed by the justices of the levy court of their respective counties, at the time of laying their county assessment, a reasonable compensation for their trouble; and it is declared to be the duty of the inspector or inspectors, constantly to take care of the warehouses under their charge, under a penalty of one hundred dollars for every neglect.

Inspectors to account, &c.

XVI. AND BE IT ENACTED, That all inspectors shall, at the time of laying the assessment for their respective counties, account with the justices thereof, upon oath or affirmation, (as the case may be,) for all monies received, or which ought to be received by them, by virtue of this act, in which account they shall be allowed for necessary disbursements in pursuance of this act.

Scales, &c. vested, &c.

XVII. AND BE IT ENACTED, That the property of the scales, ropes, blocks, marking irons and weights, belonging to any warehouse established by this act, shall be so far vested in the inspector or inspectors for the time being as to punish any trespass or felony thereof.

Inspectors to deliver notes, &c.

XVIII. AND BE IT ENACTED, That the inspector or inspectors who shall pass any tobacco, shall deliver as many notes, under the hand of the inspector or inspectors to the owner, and in his name, as shall be required, in which note or receipt shall be expressed the place and time of reception, the mark, the warehouse, number, and the gross, tare and net weights for all tobacco inspected and passed, and also in the note shall be expressed, whether of the first or second quality, the first quality to consist of tobacco clear of, and unmixed with trash, and the said notes shall be payable to the said owner, or bearer, and shall be current and received in payment of all debts and contracts for tobacco, or judgments and decrees on contracts for tobacco, according to the terms and intention of the contract, judgment or decree, (as the case may be,) and shall be transferrable from one person to another, and shall be paid, upon demand, by the inspector or inspectors who signed the same; and no tender of any debt or contract for tobacco, or judgment or decree on any contract for tobacco, shall be accounted lawful, unless payment of the same shall be tendered in inspector or inspectors note or notes.

And give receipts, &c.

XIX. AND BE IT ENACTED, That the several inspectors appointed in virtue of this act are hereby required, that when tobacco in hogsheads shall be brought to him or them for inspection which shall not be clear of trash, but shall be in good order and merchantable only, to give a receipt therefor, expressing the number, gross, tare and net weight of the same, and that the tobacco is of the second quality, and shall also mark the number, gross, tare and net weight thereof, on the head and bulge of the hogshead, with marking irons, and the said receipt shall be obligatory on the said inspector or inspectors for a delivery of the said tobacco, in the same manner and conditions as any note issued by him or them in virtue of this act.

Not to be a tender, &c.

XX. AND BE IT ENACTED, That the said receipts shall not be a tender for the payment of any tobacco contract, unless the said contract shall have been for tobacco of the second quality, and expressly mentioned in the said contracts, any thing in the said act to the contrary notwithstanding.

XXI. AND